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7 THE HONORABLE FRANKLIN D. BURGESS
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13 UNITED STATES DISTRICT COURT
14 WESTERN DISTRICT OF WASHINGTON
15 AT TACOMA
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18 MICROSOFT CORPORATION, a Washington
19 corporation,
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21 Plaintiff,
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23 v.
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25 SOFTWARE PROVISIONS, LLC, an Oregon
26 limited liability company, and NATHANIEL
27 ANGELUS,
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29 Defendants.
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32 NO. C04-5802FDB
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34 [PROPOSED] ORDER
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36 Good Cause appearing therefore, IT IS HEREBY ORDERED that Defendants
37 Software Provisions, LLC. an Oregon limited liability company, and Nathaniel Angelus, an
38 individual, (collectively, "Defendants") hereby stipulate that Defendants along with their
39 officers, agents, servants, employees, representatives, successors and assigns, and all those
40 persons or entities acting in concert or participation with them, shall be and hereby are
41 PERMANENTLY ENJOINED and restrained from:
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44 (a) imitating, copying, or making any other infringing use or infringing
45 distribution of:
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(1) software programs, components, end user license agreements (“EULA”) or items protected by Microsoft’s registered trademarks and service mark, including, but not limited to, the following Trademark and/or Service Mark Registration Numbers:

- (i) 1,256,083 (“MICROSOFT”);
 - (ii) 1,200,236 (“MICROSOFT”);
 - (iii) 1,872,264 (“WINDOWS”);
 - (iv) 1,815,350 (COLORED WINDOWS LOGO); and
 - (v) 1,816,354 (WINDOWS FLAG LOGO); or

(2) software programs, components, items or things protected by the following Certificate of Copyright Registration No.:

- (i) TX 5-126-181 ("Windows Millennium Edition"); or
(3) any other works now or hereafter protected by any of Microsoft's trademarks or copyrights;

(b) manufacturing, assembling, producing, distributing, offering for distribution, circulating, selling, offering for sale, advertising, importing, promoting, or displaying any software program, component, EULA, item or thing bearing any simulation, reproduction, counterfeit, copy, or colorable imitation of any of Microsoft's registered trademarks or service mark, including, but not limited to, the Trademark and Service Mark Registration Nos. listed in Paragraph (a) above;

(c) using any simulation, reproduction, counterfeit, copy, or colorable imitation of Microsoft's registered trademarks or service mark including, but not limited to, the Trademark and Service Mark Registration Nos. listed in Paragraph (a) above, in connection with the manufacture, distribution, offering for distribution, sale, offering for sale,

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2 advertisement, promotion, or display of any software, component, EULA, item or thing not
3 authorized or licensed by Microsoft;
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6 (d) using any false designation of origin or false description which can or is
7 likely to lead the trade or public or individuals erroneously to believe that any software,
8 component, EULA, item, or thing that has been manufactured, produced, distributed, offered
9 for distribution, advertised, promoted, displayed, licensed, sponsored, approved, or
10 authorized by or for Microsoft, when such is not true in fact;
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13 (e) using the names, logos, or other variations thereof any of Microsoft's
14 copyright and/or trademark-protected software programs in any of Defendants' trade or
15 corporate names;

16 (f) engaging in any other activity constituting an infringement of any of
17 Microsoft's trademarks, service mark and/or copyrights, or of Microsoft's rights in, or right
18 to use or to exploit these trademarks, service mark, and/or copyrights; or constituting any
19 dilution of Microsoft's name, reputation, or goodwill; or distributing, offering for
20 distribution, circulating, selling, offering for sale, or importing any stolen or illegal software
21 programs, components, EULAs, or items protected by any of Microsoft's trademarks or
22 copyrights; and

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2 (g) knowingly assisting, aiding, or abetting any other person or business entity in
3 engaging in or performing any of the activities referred to in paragraphs (a) through (f)
4 above.
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10 IT IS SO ORDERED:
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DATED this 3rd day of April 2006.



23 FRANKLIN D. BURGESS
24 UNITED STATES DISTRICT JUDGE
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